



Shapiro Arato Bach LLP

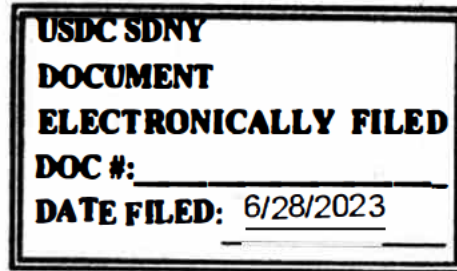
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May 1, 2023

Via ECF

The Honorable Robert W. Lehrburger
500 Pearl Street, Room 1960
United States Courthouse
New York, NY 10007



Re: *Hedgeye Risk Management, LLC v. Dale*, No. 21-cv-3687 (ALC) (RWL)

Dear Judge Lehrburger:

On behalf of Defendants Darius Dale, Steven Lamar, and 42 Macro LLC, we seek leave to file Defendants' reply in support of our motion to compel Hedgeye to produce responsive messages and Exhibit A thereto under seal. Hedgeye designated Exhibit A "Confidential." Defendants do not believe the document merits that designation; however, we are required to file it under seal consistent with the Protective Order in this case.

Motion to seal denied. Plaintiff did not file any motion to preserve confidentiality as required by this Court's Individual Rules (see Rule III(G) and Appendix), and, in any event, the material designated does not meet the Second Circuit's standards for sealing. The Clerk of Court is respectfully requested to unseal Dkt. 520 by modifying it to the public viewing level.

SO ORDERED:

6/28/2023

A handwritten signature in black ink, appearing to be 'R. Lehrburger'.

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Respectfully submitted,

/s/ Jonathan P. Bach

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Fabien M. Thayamballi
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